

REMARKS

Examiner Phan is thanked for the courtesy extended to the undersigned during a telephone interview on May 17, 2005. During that interview, no agreement was reached on the patentability of the claims as discussed during the interview. Proposed amendments to claims 1 and 22 were presented to the Examiner which have been modified including reflecting the Examiner's suggestion that the references to various media files within the claims should be clarified which has been done in the enclosed claims. During the interview, the undersigned discussed with the Examiner that Fujimoto did not disclose the currently claimed system database and further, a plurality of media files stored by the system database are not stored in the integrated circuit card. The Examiner agreed that this subject matter was not described by Fujimoto. Furthermore, the Examiner indicated that if such claims were presented in the Amendment, they would raise new issues and further, that additional searching would have to be done.

The present invention is a media content delivery system and a process of updating files in a system database of a media content delivery system including a media content delivery system controller. A media content delivery system in accordance with an embodiment of the invention includes a system database 24 for storing a plurality of media files; a user input device 26 for selecting selected media files from the plurality of media files in said database to be outputted or a user electronic interface 34 coupled via a wireless link which may be a Bluetooth link as described in paragraph [0016] of the specification for selecting media files in said database to be outputted; an output device 30 or 32 for outputting the selected

media files; an external data interface 38 for receiving media files for storage in the system database; an integrated circuit card interface 28 adapted to hold an integrated circuit card having encoded thereon criteria for accepting the received media files for storage in said database; a media content delivery controller 22, responsive to selection by said user input device of at least one of the selected media files stored in said database, to apply the at least one selected media file to said output device for outputting, and responsive to receipt of said external data interface of media files, to compare each of the received media files received from the external data interface with the criteria from the integrated circuit card and the controller controls storage in the system database of the received media files received by the external internal interface which meet criteria on the integrated circuit card held in the integrated circuit card interface; and wherein the plurality of media files stored by the system database are not stored in the integrated circuit card.

Claims 1-45 of the Final Rejection were rejected under 35 U.S.C. §103 as being unpatentable over United States Patent 6,594,692 (Reisman) in view of United States Patent 6,018,720 (Fujimoto). These grounds of rejection are traversed for the reasons set forth above that, even if the proposed combination were made of Reisman and Fujimoto, the subject matter of the independent claims as amended would not be achieved. Namely, Fujimoto does not suggest the subject matter of independent claim 22 including the system database and further, the plurality of media files stored by the system database are not stored in the integrated circuit card. Accordingly, it is submitted that the subject matter of claims 1-45 as amended are patentable.

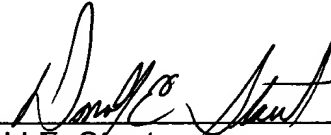
Furthermore, Applicant incorporates further the comments as set forth on page 14 and page 15 of the September 9, 2004 Amendment regarding the deficiencies of Reisman et al and Fujimoto as set forth on pages 14-16 therein.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (0171.39113X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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